

**CALENDAR ITEM
C10**

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02/20/15

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PRC 7689.1
S. Kreutzburg

**TERMINATION OF A RECREATIONAL PIER LEASE AND
ISSUANCE OF A GENERAL LEASE – RECREATIONAL USE**

LESSEE:

Jean P. Sagouspe and Diane E. Sagouspe

APPLICANT:

Michael P. Moore and Janice H. Moore, Trustees, The Moore Family Trust Dated May 10, 2000

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Donner Lake, adjacent to 15861 Lakeside Landing, near the Town of Truckee, Nevada County.

AUTHORIZED USE:

Continued use and maintenance of an existing pier.

LEASE TERM:

10 years, beginning October 10, 2014.

CONSIDERATION:

\$437 per year, with an annual Consumer Price Index adjustment.

SPECIFIC LEASE PROVISIONS:

Liability insurance in an amount no less than \$1,000,000 per occurrence.

OTHER PERTINENT INFORMATION:

1. Applicant owns the upland adjoining the lease premises.
2. On June 1, 2009, the Commission authorized a 10-year Recreational Pier Lease to Jean P. Sagouspe and Diane E. Sagouspe. That lease will expire on June 7, 2017. On October 10, 2014, the upland property was deeded to Michael P. Moore and Janice H. Moore, Trustees, The Moore Family Trust Dated May 10, 2000. The applicant is now applying for a General Lease – Recreational Use.

CALENDAR ITEM NO. **C10** (CONT'D)

3. The staff recommends termination of the existing lease because the Lessee cannot be located for execution of a lease quitclaim deed.
4. **Lease Termination:** The staff recommends that the Commission find that the subject lease termination does not have a potential for resulting in either a direct or a reasonably foreseeable indirect physical change in the environment, and is, therefore, not a project in accordance with the California Environmental Quality Act (CEQA).

Authority: Public Resources Code section 21065 and California Code of Regulations, Title 14, sections 15060, subdivision (c)(3), and 15378.

5. **Issuance of Lease:** The staff recommends that the Commission find that this activity is exempt from the requirements of CEQA as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

Authority: Public Resources Code section 21084 and California Code of Regulations, Title 14, section 15300 and California Code of Regulations, Title 2, section 2905.

6. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq., but such activity will not affect those significant lands. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

EXHIBITS:

- A. Land Description
- B. Site and Location Map

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Lease Termination: Find that the subject lease termination is not subject to the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15060, subdivision (c)(3), because the subject activity is not a project as defined by Public Resources Code section 21065 and California Code of Regulations, Title 14, section 15378.

CALENDAR ITEM NO. **C10** (CONT'D)

Issuance of Lease: Find that the issuance of a lease is exempt from the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15061 as a categorically exempt project, Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

SIGNIFICANT LANDS INVENTORY FINDING:

Find that this activity is consistent with the use classification designated by the Commission for the land pursuant to Public Resources Code section 6370 et seq.

AUTHORIZATION:

1. Authorize termination, effective October 9, 2014, of Lease No. PRC 7689.9, a Recreational Pier Lease, issued to Jean P. Sagouspe and Diane E. Sagouspe.
2. Authorize issuance of a General Lease – Recreational Use to Michael P. Moore and Janice H. Moore, Trustees, The Moore Family Trust Dated May 10, 2000, beginning October 10, 2014, for a term of 10 years, for continued use and maintenance of an existing pier as described in Exhibit A, and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; annual rent in the amount of \$437, with an annual Consumer Price Index adjustment; and liability insurance in an amount no less than \$1,000,000 per occurrence.

EXHIBIT A

PRC 7689.1

LAND DESCRIPTION

A parcel of submerged land situated in the bed of Donner Lake, lying adjacent to Lot 4 of fractional Section 14, Township 17 North, Range 15 East, M.D.B.&M., as shown on Official Government Township Plat approved April 10, 1867, County of Nevada, State of California, more particularly described as follows:

All those lands underlying an existing pier lying adjacent to those parcels described in Exhibit "A" of Grant Deed recorded July 2, 2014 in Document Number 20140012354 in Official Records of said County.

TOGETHER WITH any applicable Impact Area(s).

EXCEPTING THEREFROM any portion lying landward of the low water mark of said Donner Lake.

Accompanying plat is hereby made part of this description.

END OF DESCRIPTION

Prepared 10/29/2014 by the California State Lands Commission Boundary Unit.



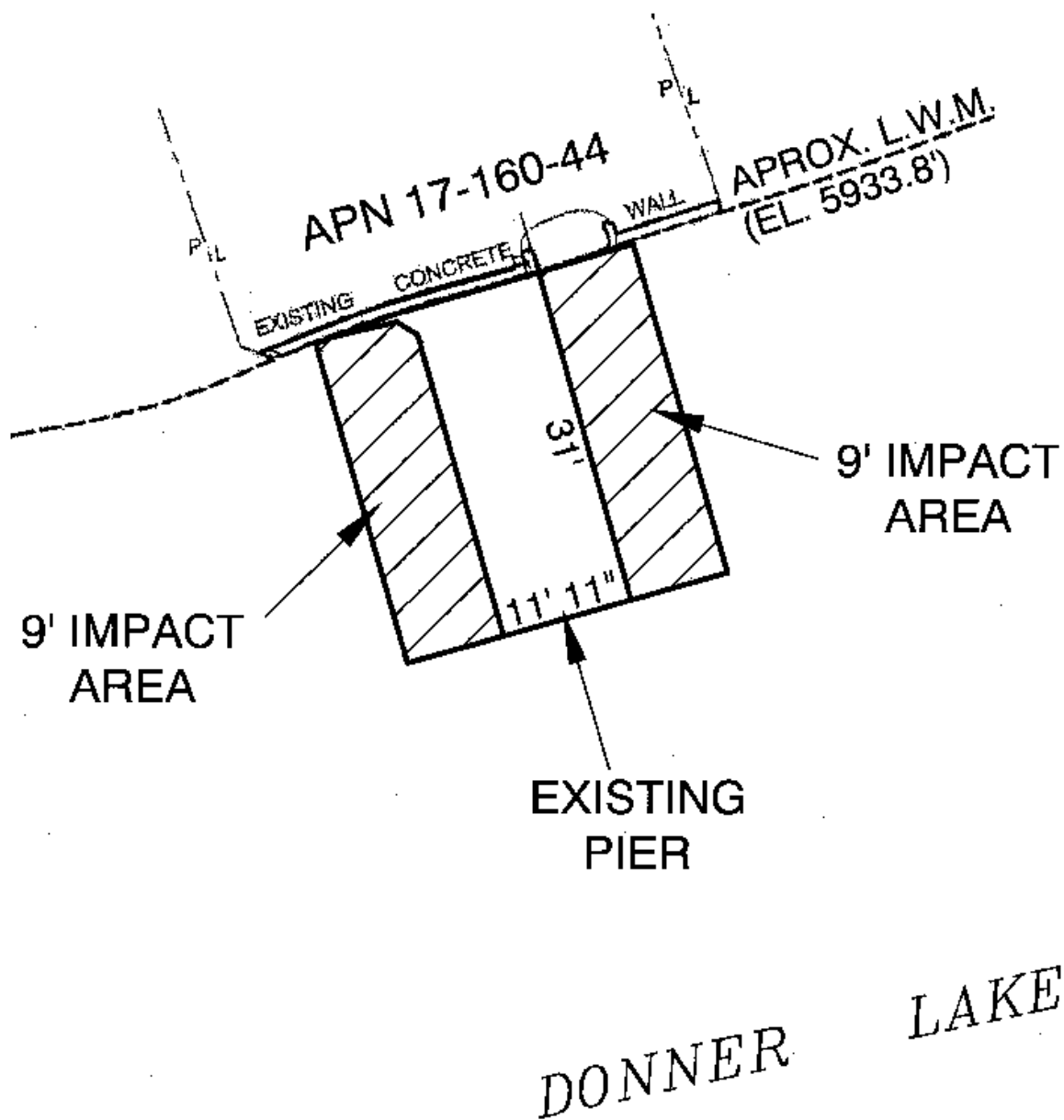


EXHIBIT A

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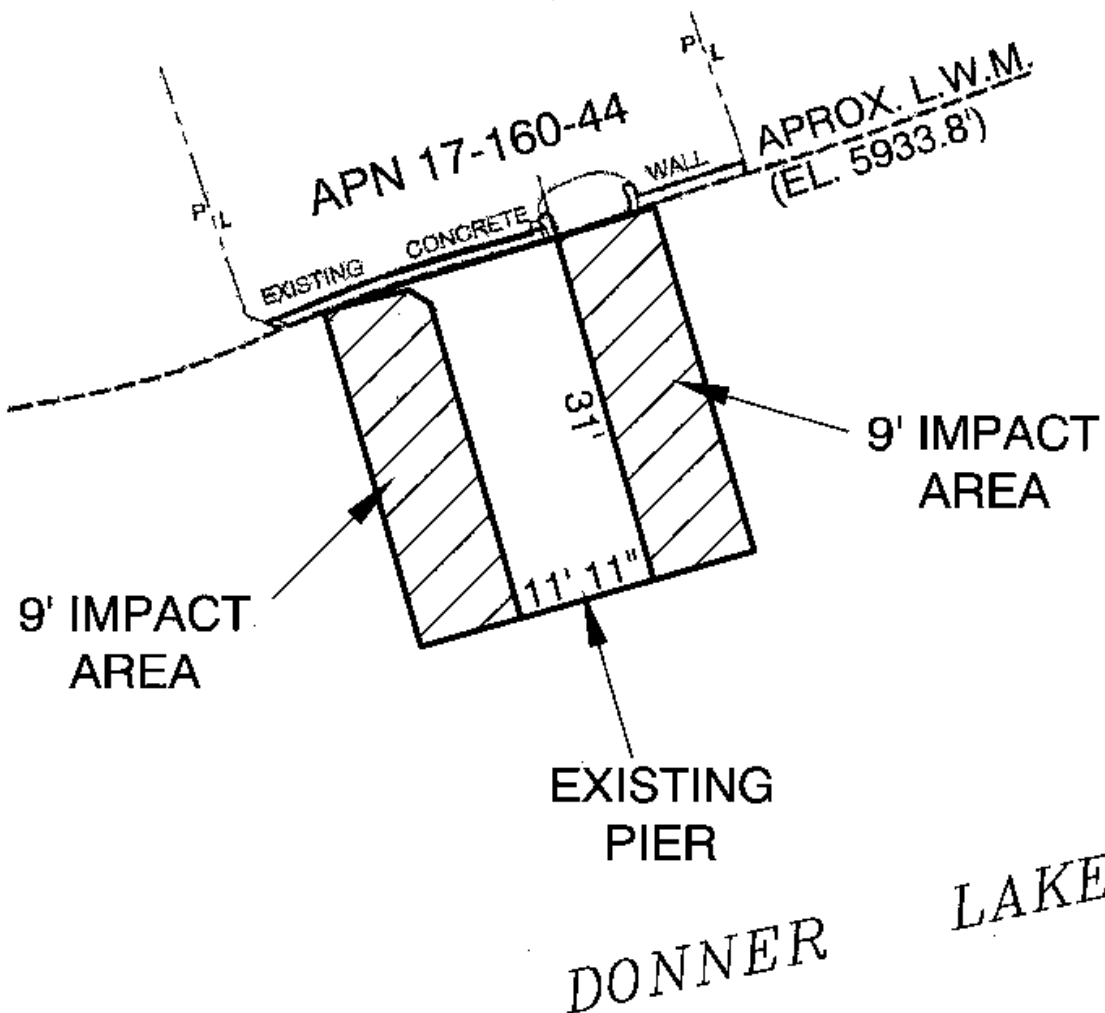
LAND DESCRIPTION PLAT
PRC 7689.1, MOORE TRUSTEES
NEVADA COUNTY

CALIFORNIA STATE
LANDS COMMISSION



NO SCALE

SITE



15861 LAKESIDE LANDING, NEAR TRUCKEE

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

Exhibit B

PRC 7689.1

MOORE TRUSTEES

APN 17-160-44

GENERAL LEASE -
RECREATIONAL USE
NEVADA COUNTY



TS 10/29/14